

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Voois *et al.* Examiner: Shingles, Kristie D.
Serial No.: 09/597,704 Group Art Unit: 2141
Filed: June 16, 2000 Docket No.: 8X8S.249PA
Title: COMMUNICATIONS CONTROLLER AND METHOD THEREFOR

DECLARATION UNDER 37 C.F.R. §§1.131 and 1.47

I hereby state and declare that I, Bryan Martin, am a party qualified to sign under 37 C.F.R. §1.47 on behalf of an uncooperative inventor of the subject matter which is claimed and for which a U.S. Patent is sought on the invention entitled: COMMUNICATIONS CONTROLLER AND METHOD THEREFOR, having U.S. Patent Application Serial Number 09/597,704 (Docket No. 8X8S.249PA), filed on June 16, 2000.

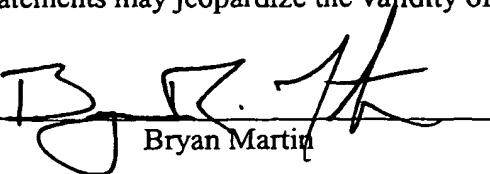
I, Bryan Martin, further state and declare that I have reviewed and understand the contents of the above-identified specification, including the claims, and that:

1. The invention claimed in the above-referenced application was conceived before December 30, 1999; a true and accurate photocopy of portions of a document entitled IntraSwitch showing constructive reduction to practice of the claimed invention having a date preceding December 30, 1999 is attached hereto with a redaction of the date.
2. Before December 30, 1999, the claimed invention was reduced to practice as is demonstrated by the attached pages of the IntraSwitch document, labeled for this submission as Exhibit A. For example, regarding the independent claims (*i.e.*, claims 1, 15 and 20), pages 11 and 14 of Exhibit A show a communications center implemented via a user interface and programmable controller that enables a user to input configuration information to control call routing (*i.e.*, to control communications between, and programmably configure a plurality of IP telephony devices). As is demonstrated by page 8 of Exhibit A, a call announcer enables a user to respond to a call and to control a telephone (*i.e.*, an IP telephony device). As is further demonstrated by pages 86 and 87 of Exhibit A, a system manager interface that facilitates system-administrator control and configuration of a telephony system, and further facilitates an administrator to control user-access to the telephony system (*e.g.*, as may be relevant to claims 1, 9-11, 15-17 and 20-21). In another example, pages 6 and 8 of Exhibit A show that the communications center requires Java coding and the call announcer is a locally-installed Java applet (*e.g.*, as may be relevant to claims 3, 12, 15 and 18-20). In a further example, the communications center on page 14 of Exhibit A is the same as Figure 2 of the patent application as filed and the system manger interface on page 86 of Exhibit A is the same as Figure 3 of the patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: January 5, 2007

Signature:

A handwritten signature in black ink, appearing to read "BRYAN MARTIN".

Bryan Martin



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JAN 16 2007

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In re Application of
Paul A. Voois et al.
Application No. 09/597,704
Filed: June 16, 2000
For: Communications Controller and Method
Therefor

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AUG 27 2001

OFFICE OF PETITIONS

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is a decision on the petition under 37 CFR 1.47(a) filed July 31, 2001.

The petition under 37 CFR 1.47(a) is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After the mailing of this decision, the file will be forwarded to the Office of Initial Patent Examination for further processing.

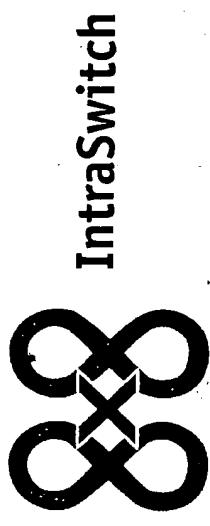
Telephone inquiries regarding this decision should be directed to Latrice Bond at (703) 308-6911.

Latrice Bond
Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Frances Hicks
Frances Hicks
Lead Petitions Examiner
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Office of the Deputy Commissioner
for Patent Examination Policy

Exhibit A

COOPER (INTERACTION DESIGN)



Synthesis of Form

Exhibit A

CINDY'S INTERFACE

Technical Considerations

Cooper does not provide implementation details in a Synthesis of Form design; 8x8's development team is better suited to make those decisions. This section describes some technical considerations that Cooper identified during the design that are worth mentioning because they affect the interaction design.

CALL ANNOUNCER

The Call Announcer is a locally installed, native Java application. It does not run in a browser. The Call Announcer is not required for the Communications Center to work (and vice versa).

COMMUNICATIONS CENTER

Below are some notes about the Communications Center browser application.

Notes about implementation languages

- The Communications Center interface will require, at a minimum, DHTML, JavaScript, and Java coding.

- JavaScript makes it easy to display a state change on an interface element during a mouse rollover, such as highlighting a button or making an element flash or pulse. However, this design recommends that only a mouse click changes an interface element, when appropriate (such as "depressing" a button to show that it has been pressed). Using rollover representations distracts users and makes the interface difficult to understand. When appropriate, a rollover may display a ToolTip that contains more information about the control, but only after a 1-second delay.

Application display

- The Communications Center is optimized to run full-screen in a browser window.
- When launched, the application appears in a browser window that does not contain a browser toolbar or any browser-specific tools. It should not be possible to use the Communications Center application window to display anything but the Communications Center; this would confuse its nature for Cindy, who can open a separate browser window to display Internet pages.
- The design is optimized for screens with 800x600 or better resolution.
- There are a small number of popup dialogs displayed when Cindy executes certain commands (as described later in this document). These child windows should be displayed with an "always on top" setting so that Cindy never loses them behind the main application window. These child windows should also not get a placeholder on the Windows Start bar.

Frame Sets

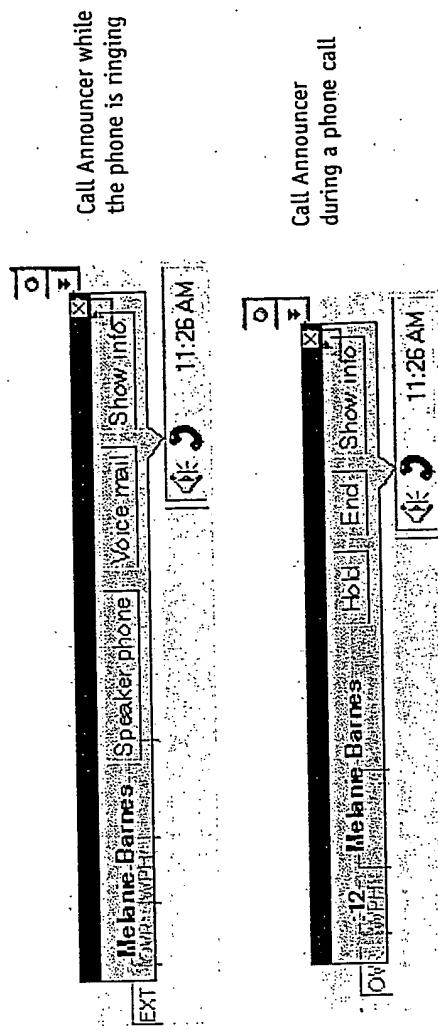
- If the implementation utilizes frame sets, do not display scroll bars for each frame unless necessary; multiple scroll bars make the interface cluttered and confusing. This design document points out those areas of the screen that may contain scroll bars if data exceeds the frame boundary.

SAVING DATA

Most browser-based applications require that users explicitly send data to the server every time they enter or change data. With few exceptions, however, this interface hides the browser "submit" model from Cindy. Whenever Cindy leaves a field (by clicking on another part of the interface), the [REDACTED]

Exhibit A

THE CALL ANNOUNCER



THE CALL ANNOUNCER

The Call Announcer is a locally-installed Java applet that constantly runs in the background of Cindy's system. It acts as a sentinel, waiting for an incoming phone call. It only appears when the phone rings (not during calls Cindy initiates).

When displayed, the Call Announcer is small and subtle, like a telephone ring, it informs Cindy about a telephone call without interrupting what she is doing. The Call Announcer appears in the lower right corner of the screen, just above the IntraSwitch icon in the system tray. This is an unobtrusive area of the screen, and does not cover any vital controls on most applications. To underscore its transient nature, the Call Announcer is semi-transparent so that Cindy can see the screen beneath it. (This is preferable, but not a critical aspect of the design.)

The Call Announcer has two states: one when a call rings, and another during a call.

INCOMING CALLS

When the telephone rings, the Call Announcer immediately appears. Using caller ID, it displays the name of the person calling. It also contains three buttons:

- *Speaker phone*. Cindy clicks this to answer the phone via her handset's speaker phone.
- *Voice mail*. This button sends the caller directly to voice mail, which immediately stops the phone from ringing. If Cindy does nothing with the call, it will eventually go to voice mail as usual.
- *Show info*. When Cindy clicks this button, the Communications Center appears and the contact information for the caller is displayed in the contact info area. If there is no contact info associated with this caller, then the button label is *Create new* instead. Cindy clicks on this to display a mostly blank form in the contact info area (it contains the caller's name and phone number, as inferred from caller ID).

Exhibit A

COMMUNICATIONS CENTER

COMMUNICATIONS CENTER

The Communications Center is Cindy's main telephone communications application; it is optimized to take up the entire screen. The Communications Center makes it easier for her to use her hardware telephone, and eliminates the need for her to climb through IVR trees while at work.

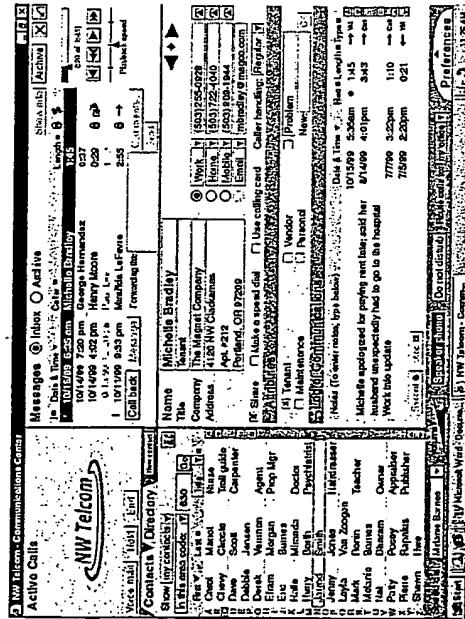
The Communications Center doesn't force Cindy to manage her telephone and telephone calls. Rather, it gives her powerful tools to capture and access information about her contacts and the interactions she has with them. It also eliminates the need for multiple, disconnected information systems like a paper Rolodex, notepad, and contact management software that is not linked with her telephone.

- use attributes—not just names—to find quickly and dial automatically any personal contact, co-worker, or company-wide contact
 - add an incoming caller to her list of contacts by taking advantage of caller ID technology
 - enable a proxy to see and manage her voice mail messages while Cindy is out of the office
 - easily telecommute from home in a way that is seamless to callers and the receptionist (the application is available from any computer with an Internet connection)
 - set up “follow me” functionality
 - see voice mail messages on the computer and play them back without needing to use an IVR system to log into her voice mail box from the telephone

NOTE ABOUT INTERFACE ELEMENT NAMES

Because contact management is a central feature of the Communications Center, some interface elements have the word "contact" in their names, as described in this document and in the interface itself. The advantage of the Communications Center's contact management is not that it will replace dedicated contact management desktop applications which are designed to warehouse complex sales, financial, and company information. Rather, it is designed to give Cindy a more powerful, integrated telephone and phone book.

If using terms such as "contact" and "contact management" in the software make it more difficult to market the product, Cooper suggests that you replace the terms with "Phone Book" (instead of Contacts list), "Workspace" (instead of Contact Info area), and so forth.



PDA SYNCHRONIZATION



bers and communication. information for her contacts from any computer with an Internet connection and a browser. To make her contacts database even more portable, she could synchronize a Personal Digital Assistant (PDA) device, such

- as a Palm Pilot, with her database.

- access and dial phone numbers using an online yellow pages directory

- keep track of every call and voice mail associated by contact
 - enter notes for any conversation
 - record conversations

- PDA SYNCHRONIZATION**

The Communications Center's remote accessibility lets Cindy access phone numbers and communication information for her contacts from any computer with an Internet connection and a browser. To make her contacts database even more portable, she could synchronize a Personal Digital Assistant (PDA) device, such as a Palm Pilot, with her database.

Exhibit A

COMMUNICATIONS CENTER

Active Calls Area

Cindy sees incoming calls in this area. She can see more information about the caller in the Contact Info area, and answer, transfer, or send the call to voice mail.

The screenshot displays the NW Telcom Communications Center interface across three main windows:

- Active Calls Window:** Shows a list of incoming calls from Michelle Bradley, George Hernandez, Henry Moore, Paul Lee, and Miranda LaFevre. It includes columns for Date & Time, Caller, Length, and a speed dial icon. Buttons for Call back, Transfer, Forwarding list, and End are at the bottom.
- Contacts Window:** Shows a list of contacts under the heading "NW Telcom". It includes columns for Name, Title, Company, Address, and Trail guide. Buttons for Show my contacts, In this area code, and New contact are at the top. A dropdown menu for attributes is open, showing options like Share, Make a speed dial, Use calling card, and Caller handling.
- Messages Window:** Shows a list of messages from Michelle Bradley, George Hernandez, Henry Moore, Paul Lee, and Miranda LaFevre. It includes columns for Date & Time, Caller, Length, and a speed dial icon. Buttons for Show info, Archive, and End are at the bottom. A dropdown menu for Commitments and Guests is open.

At the top of the interface, there are several status icons and a title bar: NW Telcom - Communications Center.

Phone Control Toolbar

ir contains controls related
to lanthanides. A list box encloses

The toolbar also contains the Preferences drawer handle. Cindy clicks on this to open the drawer, which contains controls for specifying user preferences.

14

Exhibit A

Ken's Interface: System Manager (shuffler) in use

Organizer

Workspace

The screenshot shows the ProLink Control Console interface with the following components:

- Toolbar (for System Manager only):** Located at the top left, it includes icons for Print, Copy, Paste, Undo, Redo, and other system management functions.
- Navigation Bar:** Located on the left side, it contains links such as Repair, Collecting, Configuration, Trunk & Specific Call, and Trunk Usage.
- Task List:** Located at the bottom left, it lists tasks like "Error on hub '2nd floor east'", "New software version synes with Outlook. Learn more!", "1st 100 channels", "Upgrade Alan's phone.", and "Receptionist fax".
- Status Bar:** Located at the bottom right, it displays "Status: 15/32 ports in use, 34/40 available" and "Time: 10:33 PM".
- System Manager:** The main workspace area. It features a tree view on the left with nodes like "System Manager", "System Data", "Devices", "Locations", "Device names", "Addresses", and "MAC address". The right pane displays a list of devices with columns: Name, IP address, MAC address, and Description. Some entries have small icons next to them, such as a red circle with a question mark for the "Marketing fax" entry.

Toolbar
(for System Manager only)

Shuffler Statement
(for System Manager only)

Results List
(for System Manager only)

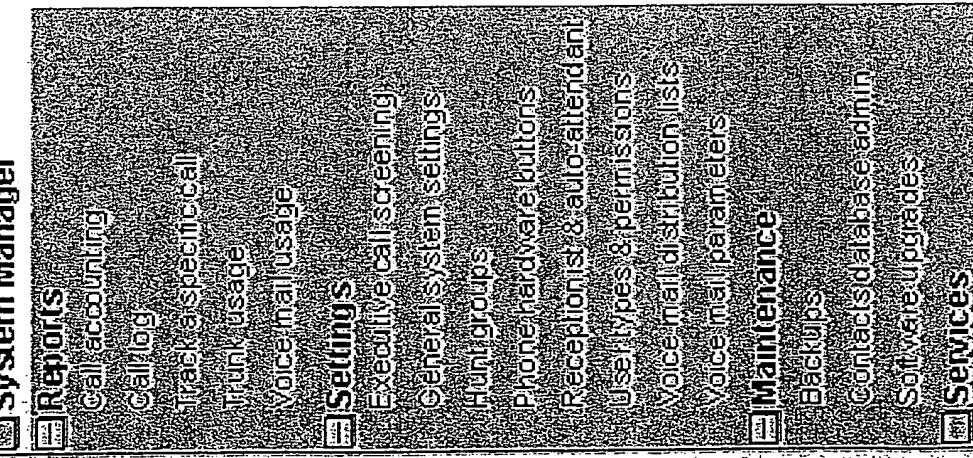
Details Drawer
(for System Manager only)

Exhibit A

Basic Screen Layout and Workflow

The left part of Ken's screen is an Organizer and the right is his Workspace. Ken's workflow, like Cindy's and Shirley's, is essentially left to right: He selects an item in the Organizer that he wants to work on, and the material relevant to that item appears in his Workspace.

Navigation Bar

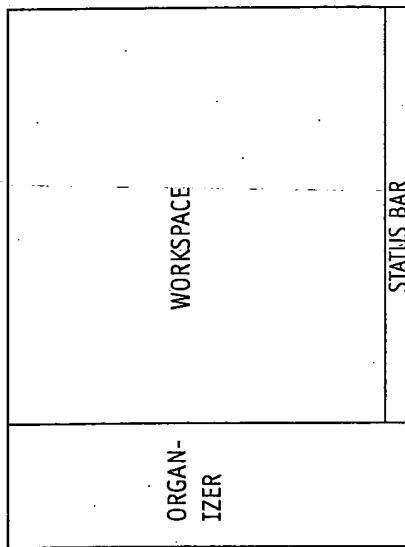


- Settings
- Maintenance
- Services

The Reports, Settings, and Maintenance headings each have sub-listings available. Ken can show or hide the listings under any of these headings by clicking the box beside the heading. If the contents of the Navigation Bar exceed the space available for them, a scroll bar appears.

SYSTEM MANAGER

This is Ken's shuffler. Since it gives him rich status information and helps him manage system components, it is the part of his interface that he will use the most. It is discussed in detail on page 120.



REPORTS

The several types of reports we show in the Reports section of the Organizer are placeholders for whichever actual reports 8x8 chooses to offer.



Navigation Bar

The Navigation Bar occupies the top part of the Organizer. It consists of five parts:

- System Manager (shuffler)
- Reports

The design for Ken's reports was developed thoroughly enough in the Approach document that not much more need be said about it here. See the Approach document pp. 53-55 for the description, but note the following change in design: The Organizer's Navigation Bar is now a simple list. We have [REDACTED]